

AMENDED IN ASSEMBLY APRIL 13, 2009

CALIFORNIA LEGISLATURE—2009—10 REGULAR SESSION

ASSEMBLY BILL

No. 742

Introduced by Assembly Member Saldana

February 26, 2009

An act to amend Section 10405.7 2212 of the Elections Code, relating to elections.

LEGISLATIVE COUNSEL'S DIGEST

AB 742, as amended, Saldana. Elections: ~~community college districts~~ *felony conviction statements.*

Under existing law, the county elections official is required to cancel the voter registration of a person who is presently imprisoned or on parole for conviction of a felony. The clerk of the superior court of each county, on the basis of the records of the court, is required to furnish to the chief elections official of the county a statement showing the names, addresses, and dates of birth of all persons who have been convicted of a felony since the clerk's last report. The elections official is then required to cancel the affidavits of registration of those persons who are currently imprisoned or on parole for the conviction of a felony.

This bill would specify that the court clerk's statement must include only those convicted felons who have been sentenced to prison and would also specify that the county elections official cancel the affidavit of registration of a person imprisoned or on parole for a felony conviction whose name, address, and date of birth are the same as reported on the court clerk's statement.

~~Existing law authorizes a community college district to consolidate its election of governing board members with other elections upon~~

approval by the board of supervisors and specifies a procedure for effecting the consolidated election.

~~This bill would make nonsubstantive changes to those provisions.~~

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 ~~SECTION 1. Section 2212 of the Elections Code is amended~~
2 ~~to read:~~

3 ~~2212. The clerk of the superior court of each county, on the~~
4 ~~basis of the records of the court, shall furnish to the chief elections~~
5 ~~official of the county, not less frequently than the first day of April~~
6 ~~and the first day of September of each year, a statement showing~~
7 ~~the names, addresses, name, address, and dates date of birth of all~~
8 ~~persons each person who have has been convicted of felonies a~~
9 ~~felony and sentenced to state prison since the clerk's last report.~~
10 ~~The elections official shall, during the first week of April and the~~
11 ~~first week of September in each year, cancel the affidavits affidavit~~
12 ~~of registration of those persons each person who are is currently~~
13 ~~imprisoned or on parole for the conviction of a felony whose name,~~
14 ~~address, and date of birth is the same as reported on the court~~
15 ~~clerk's statement. The clerk shall certify the statement under the~~
16 ~~seal of the court.~~

17 ~~SECTION 1. Section 10405.7 of the Elections Code is amended~~
18 ~~to read:~~

19 ~~10405.7. (a) The resolution of the community college district~~
20 ~~governing board to establish an election day pursuant to subdivision~~
21 ~~(b) of Section 1302 shall be adopted and submitted to the board~~
22 ~~of supervisors not later than 240 days prior to the date of the~~
23 ~~currently scheduled election for the governing board members of~~
24 ~~the community college district.~~

25 ~~(b) The final date for the submission of the resolution by the~~
26 ~~community college district governing board to the board of~~
27 ~~supervisors is not subject to waiver.~~

28 ~~(c) The board of supervisors shall notify all community college~~
29 ~~districts located in the county of the receipt of the resolution to~~
30 ~~consolidate and shall request input from each district on the effect~~
31 ~~of consolidation.~~

1 ~~(d) (1) The board of supervisors, within 60 days from the date~~
2 ~~of submission, shall approve the resolution unless it finds that the~~
3 ~~ballot style, voting equipment, or computer capacity is such that~~
4 ~~additional elections or materials cannot be handled. Prior to the~~
5 ~~adoption of a resolution to either approve or deny a consolidation~~
6 ~~request, the board or boards of supervisors may each obtain from~~
7 ~~the elections official a report on the cost-effectiveness of the~~
8 ~~proposed action.~~

9 ~~(2) Public notices of the proceedings in which the resolution is~~
10 ~~to be considered for adoption shall be made pursuant to Section~~
11 ~~25151 of the Government Code.~~

12 ~~(e) Within 30 days after the approval of the resolution by the~~
13 ~~board of supervisors, the elections official shall notify all registered~~
14 ~~voters of the districts affected by the consolidation of the approval~~
15 ~~of the resolution by the board of supervisors. The notice shall be~~
16 ~~delivered by mail and at the expense of the community college~~
17 ~~district.~~

18 ~~(f) An election day established pursuant to subdivision (b) of~~
19 ~~Section 1302 shall be prescribed to occur not less than one month,~~
20 ~~nor more than 12 months, subsequent to the election day prescribed~~
21 ~~in Section 5000 of the Education Code. As used in this subdivision,~~
22 ~~“12 months” means the period from the election day prescribed in~~
23 ~~Section 5000 of the Education Code to the first Tuesday after the~~
24 ~~first Monday in the 12th month subsequent to that day, inclusive.~~

25 ~~(g) If, pursuant to subdivision (b) of Section 1302, a district~~
26 ~~governing board member election is held on the same day as a~~
27 ~~statewide general election, those district governing board members~~
28 ~~whose four-year terms of office would have, prior to the adoption~~
29 ~~of the resolution, expired prior to that election shall, instead,~~
30 ~~continue in their offices until successors are elected and qualified.~~